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3513 ON OCTOBER 16, 2003

Ari J. Kahan

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/083,848
Published in the Official Gazette on August 13, 2002

MICRON TECHNOLOGY, INC.

Opposer

V.

WORLD WISER ELECTRONICS, INC. OF TAIWAN,

Applicant

10-16-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

) Opposition No. 91154655

CONSENTED MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION

Applicant World Wiser Electronics, Inc., by its attorney, hereby requests that:

1. The application for registration of the above-identified mark be amended as follows:

- a. the Class 9 portion of the application be withdrawn; and
- b. the description of the services in the Class 40 portion of the application be amended such that all references to "semiconductors and integrated circuits" be deleted in their entirety. In particular, Applicant requests that the application be modified as follows:

MODIFICATIONS:

~~IC 009. US 021 023 026 036 038. G & S: Electronic equipment, namely, integrated circuit burn-in boards and burn-in ovens, and printed circuit board testers~~

IC 040. US 100 103 106. G & S: Custom manufacture of ~~semiconductors, integrated circuits,~~ printed circuit boards, electronic equipment and appliances for others

IC 042. US 100 101. G & S: Testing of semiconductors, integrated circuits, printed circuit boards, electronic equipment and appliances for others

RESULT:

IC 040. US 100 103 106. G & S: Custom manufacture of printed circuit boards, electronic equipment and appliances for others

IC 042. US 100 101. G & S: Testing of semiconductors, integrated circuits, printed circuit boards, electronic equipment and appliances for others

2. Pursuant to the parties' agreement, recited at the top of the second page of the letter from Opposer's in-house counsel dated October 8, 2003, and attached hereto as Exhibit A, upon the entry of the amendment as requested in (1) above, the Opposition,

and this action, be dismissed. Applicant's counsel represents that Applicant has provided Opposer's in-house counsel, Chris Simboli, with a copy of this Consented Motion, and Mr. Simboli has by telephone on October 15, 2003 indicated that he consents to the filing of this motion and to the relief requested.

Dated: 10/16/03

Respectfully submitted,

ATTORNEYS FOR APPLICANT



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208.368.4000

October 8, 2003

VIA FEDERAL EXPRESS

Ari Kahan
20440 Via Paviso Ave.
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Cupertino, California
95014

Dear Mr. Kahan,

**RE: Applications for Trademark Registration of the
"UNIMICRON" mark**

This letter reflects discussions between Micron Technology, Inc. ("MTI") and Unimicron Technology Corp. ("UTC") regarding certain applications for trademark registration filed by UTC in relation to the "UNIMICRON" mark and certain oppositions thereto filed by MTI.

As you are aware, MTI is a leading international manufacturer of semiconductor products and provider of related services. MTI is the owner of a number of United States and worldwide trademark registrations for the "MICRON" mark in various forms, including U.S. Registration Nos. 2,142,670, 2,276,067, 2,660,429 and 2,620,024.

UTC has filed an application for trademark registration for the "UNIMICRON" mark in the United States, being Application Serial No. 78/083848 in International Classes 9, 40 and 42 ("U.S. Application"). UTC has also filed two (2) applications for trademark registration for the "UNIMICRON" mark in the Peoples Republic of China, being Application No. 1995260 in International Class 40 ("PRC Class 40 Application") and Application No. 2009648 in International Class 42 ("PRC Class 42 Application"). The U.S. Application was filed in the name of World Wiser Electronics, Inc. ("WWE"), while the PRC Class 40 Application and the PRC Class 42 Application were filed in the name of XinXing Electronics Company ("XXE"). You informed me that under a consolidation or other form of reorganization, WWE and XXE have now been subsumed within UTC, and UTC therefore now has proper authority/control to direct the above applications and to settle any matters in relation thereto.

As you are also aware, MTI has filed oppositions to all three of the above-listed applications. Based upon our discussions in relation to this matter, it appears that certain aspects of the description of the goods or services (as applicable) contained within these applications of UTC are not appropriate in light of the goods or services actually sold by UTC. Please bear in mind that in the U.S. and in certain other jurisdictions the description of the goods or services within the applications for trademark registration filed by UTC must accurately reflect those goods or services (as applicable) actually sold by UTC.

The future of memory

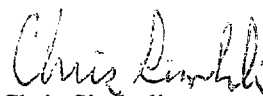
As discussed, MTI would be willing to withdraw the applicable oppositions it has filed with the relevant trademark authorities in relation to the above-referenced applications upon MTI's receipt of evidence satisfactory to MTI that each of the following conditions have been fulfilled by UTC:

- 1) with respect to the U.S. Application: (i) UTC has withdrawn the Class 9 portion of the U.S. Application in its entirety; and (ii) UTC has modified the description of the services in the Class 40 portion of the U.S. Application so that all references to semiconductors and integrated circuits, including the manufacture thereof, have been deleted in their entirety;
- 2) with respect to the PRC Class 40 Application: UTC has modified the description of the services within such application so that all references to semiconductors and integrated circuits, including the manufacture thereof, have been deleted in their entirety; and
- 3) with respect to the PRC Class 42 Application: UTC has modified the description of the services within such application so that all references to semiconductors and integrated circuits, including design services in relation thereto, have been deleted in their entirety, with the exception of testing services in relation thereto.

Please note that if any of the above conditions remain unfulfilled, then MTI will not withdraw any of the oppositions filed by MTI in relation to the above-referenced applications. Please also note that MTI expressly reserves all rights to oppose any or all applications for trademark registration filed or to be filed by UTC (or any third party) in any country or jurisdiction, and/or to pursue cancellation (or equivalent) proceedings with respect to any or all trademark registrations obtained or to be obtained by UTC (or any third party) in any country or jurisdiction, which MTI considers to infringe upon MTI's trademark rights. In addition, MTI expressly reserves all rights to file and prosecute any application for trademark registration and/or to maintain any trademark registration obtained or to be obtained by MTI in any country or jurisdiction. Without limiting the foregoing, this letter and the matters discussed herein are without prejudice to all rights remedies and/or defenses of MTI. Therefore, this letter is not a complete statement of MTI's rights in connection with the matters discussed herein, and nothing contained within this letter constitutes an express or implied waiver of any rights, remedies or defenses of MTI, all of which are expressly reserved.

Please contact me if you require clarification of any of the matters provided for within this letter.

Sincerely,



Chris Simboli
Technology Licensing Counsel
Micron Technology, Inc.

cc: Doug Kenyon
Hunton & Williams